

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

ROOSEVELT PARKER, PLAINTIFF

v. CAUSE No. 2:22-CV-45-HSO-BWR

STATE FARM FIRE AND  
CASUALTY COMPANY DEFENDANT

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DEPOSITION OF TOMMY J. TOMPKINS, JR.

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Taken at the offices of Bryan, Nelson,  
Schroeder, Castigliola & Banahan, PLLC,  
1103 Jackson Avenue Pascagoula,  
Mississippi, on Wednesday, January 25th,  
2023, beginning at 2:00 p.m.

**APPEARANCES:**

LINDSEY TOPP, ESQUIRE (Via Zoom)  
Hair Shunnarah Trial Attorneys  
2540 South I-10 Service Road West  
Suite 300  
Metairie, Louisiana 70001

**ATTORNEY FOR PLAINTIFF**

H. BENJAMIN MULLEN, ESQUIRE  
MICHAEL R. MOORE, ESQUIRE (Via Zoom)  
Bryan, Nelson, Schroeder,  
Castigliola & Banahan, PLLC  
1103 Jackson Avenue  
Pascagoula, Mississippi 39568

**ATTORNEYS FOR DEFENDANT**

1 Loss Consulting in your early -- the early part of  
2 your employment when you said you did some  
3 inspections, do you know if any of those  
4 inspections took place in the State of  
5 Mississippi?

6 A. I don't believe any of them were in the  
7 State of Mississippi.

8 Q. All right. Now, when you left  
9 employment or whatever arrangement you had with  
10 ATA Loss Consulting, what was your reason for  
11 leaving the company?

12 A. I left because I didn't agree to  
13 continue, you know, placing my name on every  
14 single estimate. That was the main reason that I  
15 left, is I didn't -- no longer wanted to put my  
16 name on something I didn't create, you know,  
17 originally create.

18 Q. All right. Tell me about that. Were  
19 you being compelled to put your name on estimates  
20 that weren't actually yours?

21 A. Yes.

22 Q. Who was making you do that?

23 A. Austin Tanner.

24 Q. And can you kind of you expound on that  
25 a little bit? What was your difficulty there with

1 putting your name on those estimates?

2 A. Well, on the front page of the estimate  
3 it says, claim rep and then it says, estimator,  
4 and he wanted my name in both of those boxes. But  
5 the estimator box, based on what I felt, was  
6 designed for the person's name who wrote the  
7 estimate, and since I didn't originally create or  
8 write the estimate I didn't feel that my name  
9 should be in that particular box on the front  
10 page.

11 Q. What about the claim representative box?  
12 Were you okay with that or did you have some  
13 issues there as well?

14 A. I didn't have issues there. Just simply  
15 because in the industry, you know, there is really  
16 no true meaning to a claim rep in Xactimate, you  
17 know. It was always -- everybody had a different  
18 interpretation of what should go there, you know.  
19 And Xactimate was created, you know, for insurance  
20 companies to write estimates and insurance  
21 companies have, you know, what they call a claim  
22 rep or a claim adjuster or whatever they call it.  
23 And that box is typically designed to -- you know,  
24 for that person who is writing that estimate to  
25 put their name there.

1 But, the main part that I was concerned  
2 about is where it said estimator. Because I  
3 didn't write the estimate, I didn't feel that it  
4 was right for me to put my name there.

5 Q. And did you have a discussion with  
6 Mr. Tanner about that?

7 A. I did.

8 Q. What was his response?

9 A. Well, his response was, you know, I'm an  
10 expert and, you know, these other people involved  
11 in inspecting the home and writing the estimate  
12 are not.

13 Q. And when you said, I am the expert, he  
14 was referring to you, Tommy Tompkins, saying you  
15 were an expert?

16 A. Yes.

17 Q. And that's why he wanted your name on  
18 it, correct?

19 A. Correct.

20 Q. And the other people who are actually  
21 creating the estimate weren't actually experts.  
22 Is that your understanding?

23 A. Yes.

24 Q. Did ATA Loss Consulting provide any  
25 training for the people who were actually doing